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TO SECSTATE WASHDC 3485  
INFO RUESBA/AMEMBASSY BUENOS AIRES 4343  
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SANTIAGO 1351

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E.O. 11652: XGDS-2  
TAGS: SHUM PINT PFOR CI  
SUBJECT: DISAPPEARED CHILEANS: CASE OF THIRTEEN

REF: A) SANTIAGO 0956; B) SANTIAGO 2834; C) 76 SANTIAGO 10379;  
D) BUENOS AIRES 0365; E) BUENOS AIRES 1253

1. THE EVOLUTION OF THE CASE OF THE 13 CHILEANS, ALL OR MOST COMMUNISTS, WHO "DISAPPEARED" IN DECEMBER, CONTINUES TO RAISE INTERESTING QUESTIONS. AS REPORTED (REF A), THE SUPREME COURT JANUARY 31 ORDERED THE APPOINTMENT OF A SPECIAL JUDGE TO INVESTIGATE EIGHT OF 13 DISAPPEARANCES WHICH HAD OCCURRED IN DECEMBER: EDRAS PINTO ARROYO, LINCOYAN BERRIOS CATALDO, ARMANDO PORTILLA PORTILLA, EDUARDO ARAYA CABRERA, REINALDA PEREIRA PLAZA, HORACIO ZEPEDA MARINCOVIC, LUIS LAZO SANTANDER, AND LISANDRO CRUZ DIAZ. CONTRARY TO THE INITIAL REPORT, PETITIONS OF HABEAS CORPUS APPARENTLY WERE STILL PENDING ON THE OTHER FIVE, AND THE SPECIAL JUDGE DID NOT CHECK THEIR CASES: FERNANDO ORTIZ LETELIER, FERNANDO ALFREDO NAVARRA ALLENDE, WALDO ULISES PIZARRO MOLINA, CARLOS PATRICIO DURAN GONZALEZ, AND HECTOR VELIZ RAMIREZ.

2. THE SPECIAL JUDGE FEBRUARY 7 CLOSED HIS INVESTIGATION AFTER HAVING RECEIVED DOCUMENTARY EVIDENCE FROM THE CIVIL POLICE INDICATING THAT ALL EIGHT PERSONS HAD LEFT CHILE FOR ARGENTINA BETWEEN DECEMBER 21 AND JANUARY 11 BY CAR, TRAIN, OR FOOT (HITCHHIKING). THE LAWYERS FOR THE FAMILIES OF THE DISAPPEARED CONTINUE THEIR LEGAL ACTION, AND THE FAMILIES SENT CABLES TO THE IAHOC AND THE PRESIDENT OF ARGENTINA ASKING WHETHER THE RELATIVES HAD ACTUALLY ENTERED ARGENTINA.

3. THE ARGENTINE INTERIOR MINISTRY ANNOUNCED FEBRUARY 11 (REF E) BY COMMUNIQUE THAT FOUR OF THE PERSONS IN QUESTION WERE DOCUMENTED AS HAVING ENTERED ARGENTINA FROM CHILE: EDRAS PINTO, HORACIO CEPEDA, AND LUIS

U.S. DEPT. OF STATE, A/RPS/IPS  
Margaret P. Grafeld, Director  
(X) Release ( ) Excise ( ) Deny  
Exemption(s):  
Declassify: ( ) In Part (X) In Full  
( ) Classify as ( ) Extend as ( ) Downgrade to  
Date Declassify on Reason

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1. FROM THE EIGHT, AND HECTOR VELIZ OF THE FIVE PERSONS WHO WERE NOT INVESTIGATED BY THE SPECIAL JUDGE. ACCORDING TO WIRE SERVICE REPORTS IN THE CHILEAN PRESS, THE ARGENTINE COMMUNIQUE SAID THEY HAD ENTERED JANUARY 6 IN A CAR WITH CHILEAN LICENSE HG-19. WE NOTE THAT THE SPECIAL JUDGE HAD EDRAS PINTO LEAVING THE SAME DATE IN A CAR WITH ARGENTINE PLATE M-124961.

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4. COMMENT: NEWSPAPERS CLOSEST TO THE GOC WERE JUBILANT THAT THE INVESTIGATING JUDGE AND ARGENTINE OFFICIALS CAUGHT THE COMMUNISTS TRYING TO DISCREDIT THE GOVERNMENT BY SETTING UP PHONY DISAPPEARANCES. THEY PROBABLY HAVE SOMETHING, BUT IT IS NOT THAT SIMPLE. CHILE RECORDS EIGHT "DISAPPEARED" AS LEAVING CHILE FOR ARGENTINA, AND ARGENTINA RECORDS THREE AS HAVING ENTERED. WHAT HAPPENED TO THE OTHER FIVE WHO APPARENTLY WERE NOT REGISTERED AS HAVING ENTERED ARGENTINA? UNLESS IT IS SHOWN THAT THESE PERSONS INDEED E3435 -4&3,58,-, AND ASSUMING THAT ARGENTINE BORDER INEFFICIENCY OR A CLANDESTINE ENTRY INTO ARGENTINA AFTER A NORMAL EXIT FROM CHILE ARE NOT LIKELY EXPLANATIONS, A SERIOUS QUESTION ARISES AS TO THE VALIDITY OF THE GOC'S DEPARTURE DOCUMENTATION. OUR SKEPTICISM RE THE GOC'S STORY IN THIS CASE, PARTICULARLY THE DOCUMENTATION OF DEPARTURES TO ARGENTINA, IS MOTIVATED IN PART BY A SIMILAR CASE WHICH THE GOC PRESENTED TO THE UNHRC AD HOC WORKING GROUP LAST YEAR (REFS B, C, D AND E) AND WHICH HAD ALL THE EARMARKINGS OF A TOTAL PHONY.

5. ON THE OTHER HAND, IT IS HARD TO MAKE A CASE FOR COLLUSION BETWEEN ARGENTINE AND CHILEAN SECURITY OFFICIALS ON THIS MATTER, ALTHOUGH THERE REMAINS UNEXPLAINED THE DISCREPANCY IN THE DIFFERENT CARS REPORTEDLY USED BY EDRAS PINTO IN LEAVING CHILE AND ENTERING ARGENTINA. IF THE ARGENTINES WERE WILLING TO COOPERATE IN PLAYING GAMES WITH THE GOC, SURELY THEY WOULD HAVE PRODUCED DOCUMENTS FOR THE ENTRANCE INTO ARGENTINA OF ALL EIGHT UNDER INVESTIGATION AND NOT JUST A PORTION THEREOF.

6. WE HAVE NO SATISFACTORY EXPLANATION FOR THE QUESTIONS RAISED. IT MAY BE THAT WE HAVE A COMBINATION OF CIRCUMSTANCES: I.E., SOME OF THESE "DISAPPEARED" WERE REALLY COMMUNISTS WHO LEFT THE COUNTRY AND THEN PHONIED A CASE AGAINST THE GOC ABOUT THEIR DISAPPEARANCES; OTHERS WERE ILLEGALLY EXPELLED TO ARGENTINA; AND STILL OTHERS WERE DONE IN BY CHILEAN SECURITY SERVICES. PERHAPS THE ARGENTINE INVESTIGATION (REF 5) WILL PROVIDE SOME ANSWERS. THE CASE IS WORTH WATCHING. THE DENOUNCEMENT, IF ANY, MAY BE INSTRUCTIVE REGARDING PAST AND FUTURE "DISAPPEARANCES."

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